

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

Emerick R. Bakaysa, Chair
Joanna L. Bilotta, Vice-Chair
Thomas W. Bodkin, Jr., Clk.
Robert J. Saiia, Mbr.
Nathan J. Lockwood, Mbr.
Marion M. Benson, Planning Director



Tel: (978) 582-4147
Fax: (978) 582-4353
960 Massachusetts Avenue
Lunenburg, MA 01462

Minutes Executive Session March 14, 2011

Chair called for Motion to enter Executive Session at 9:00 PM for purpose of discussion of correspondence from Attorney Joel Bard, Kopelman & Paige, concerning litigation of O'Brien Homes Inc. v. Planning Board and Town of Lunenburg, and not to return to General Session.

Motion made, Ms. Bilotta, Second, Mr. Lockwood, roll call vote, Mr. Bakaysa, aye; Ms. Bilotta, aye; Mr. Lockwood, aye; Mr. Saiia, aye; Mr. Bodkin Jr., aye.

Chair read letter from Kopelman & Paige dated March 1, 2011, regarding a subdivision concept plan submitted by Mr. O'Brien's attorney. He further read Hemenway & Barnes, Attorney Diane Tillotson's letter to Kopelman & Paige, dated February 25, 2011. The plan shows 28 lots, each of which is five acres or more. Mr. O'Brien's Counsel noted that their intent was to further seek to re-subdivide lots 1, 2, 3, and 27. They are seeking assurance that the Planning Board would accept the concept plan as to the direction of settling the lawsuit.

The Board discussed the proposal and questioned the relationship of the proposal to the intent of the Bylaw. The consensus of the Board was to do nothing as far as responding to this proposal. The Planning Director was to only respond, if questioned, by informing Town Counsel that the Board was taking the proposal under consideration. Further, The Director was to make an inquiry as to the status of request made by the Board for Town Counsel to seek Final Judgment on all counts.

Chair called for adjournment of Executive Session. Motion, Mr. Lockwood, Second, Mr. Saiia, roll call vote Mr. Bakaysa, aye; Ms. Bilotta, aye; Mr. Lockwood, aye; Mr. Saiia, aye; Mr. Bodkin Jr., aye. Adjourned 9:35 PM.

Minutes/executive 2011/3.14.11